



Atty. Dkt. No. 054822-0117

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven C. Quay et al.
Title: NASAL CALCITONIN
FORMULATIONS CONTAINING
CHLOROBUTANOL
Appl. No.: 10/805788
Filing Date: 3/22/2004
Examiner: Thomas Sweeney Heard
Art Unit: 1654
Confirmation 9945
Number:

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated October 28, 2009, finally rejecting Claims 8, 12, 16 and 20-30.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

04/28/2010 SHOHAMME 00000014 10005788

01 FC:1401
02 FC:1253

540.00 OP
620.00 OP

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$540.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,110.00
<input checked="" type="checkbox"/>	Extension Already Obtained for second month:	\$490.00
	FEE TOTAL:	\$1,160.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$1,160.00

A credit card payment form in the amount of \$1,160.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date April 27, 2010

By Jacqueline D. Wright Bonilla

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